F.No.450/120/97-CUS.IV

Circular No. 63/99-Cus
dated 24/9/1999

Government of India
Ministry of Finance, Department of Revenue
Central Board of Excise & Customs, New Delhi

Subject : Assessment and Clearance of Goods Imported / Exported through the Courier Mode - Courier Imports & Exports (Clearance) Regulations, 1998 - Amendments regarding.

I am directed to enclose a copy of Notification No. 54/99-Cus (NT), dated September 1999 on the above subject. This notification has effected significant changes in the Courier Imports and Exports (Clearance) Regulations, 1998, the details of which are as follows:

(i) The weight limit for courier / express material has been raised from the existing 32 Kg. to 70 Kg.

(ii) Sub-regulation (2) (e) of Courier Regulations, 1998, provides that the Courier Imports & Exports (Clearance) Regulations, 1998 would not be applicable to export goods where the value of the consignment is above rupees twenty-five thousand and transaction in foreign exchange is involved. After considering representations from the trade, it has now been decided to allow export of goods of higher value, i.e. value exceeding Rs. 25,000/-, through the courier mode subject to the condition that GR Waiver or specific permission has been obtained from the Reserve Bank of India.

(iii) Clause (d) of regulation 3 of Courier Regulations, 1998 defines "free gifts" as bonafide gifts of articles for personal use of a value not exceeding Rs. 25,000/- in a financial year in case of export goods. Monitoring of the limit of Rs. 25,000/- for free gifts in a year has been changed to Rs. 25,000/- per consignment.

(iv) The value limit of bonafide commercial samples and free gifts imported through the courier mode has been raised from existing limit of Rs. 2000/- to Rs. 5000/-.

(v) As per sub-regulatio (5) of regulation 5 of Courier Regulations, 1998, the imported goods are required to be cleared within the period of 30 days of the arrival of the said goods. In case of failure to do so, the goods can be detained and disposed of by Customs. This regulation has now been amended to provide that before disposal of the goods, notice would be given to the authorised couriers.

(vi) Sub-regulation (5) of regulation 6 of Courier Regulations, 1998, provides for goods to be exported within a period of seven days of arrival of same in the customs area. In case of failure to do so, the goods may be detained and disposed of by giving notice to the concerned courier. However, there can be cases where it may not be possible to export within the said time limit due to genuine reasons such as bad weather, cancellation of flights, which may be beyond the control of the authorized courier. To deal with such extraordinary situations, it has now been provided that the time limit to seven days can be extended by the Assistant Commissioner of Customs in deserving cases.

(vii) The requirement of furnishing security alongwith bond to the Commissioner of Customs by the authorised couriers has been significantly lowered. It has now been decided that at four major international airports of Mumbai, Delhi, Chennai & Calcutta, the authorized couriers would be required to furnish the security of Rupees two lakhs in place of the existing requirements of Rupees five lakhs, and in other cases (i.e. other than four major international airports), the security would be kept at Rupees one lakh. Further, it has been decided to give an option of bank guarantee in lieu of National Saving Certificate, cash or postal security allowed earlier.

(viii) In the Courier Regulations, 1998, a limit was placed on the number of authorized courier to be registered at an airport. This limit has now been removed. 2. It has been brought to the notice of the Board by the Ministry of Commerce that at present, the permission for amendment in the Import General Manifest is given by the Assistant Commissioner of Customs (Preventive) only, with the result that whenever he is absent, the authorized courier finds it difficult to get the same amended. This results in delays. The matter has been considered and it has been decided that the permission to amend the Import General Manifest could be granted by any Assistant Commissioner of Customs on duty. Suitable administrative arrangements may please be made to implement the above decision.

3. Further, a number of references have been received in the Board pointing out that clearance of express / courier material is delayed because of non-availability of Appraising Officer at night, when the courier packages arrive. The matter has been considered by the Board and it has been decided that the services of an Appraising Officer will be made available at the four major international airports, namely, Mumbai, Delhi, Calcutta and Chennai at night Necessary administrative arrangements may be made by the concerned Commissioner of Customs and the Board may please be informed of the action taken.

4. The Circular No. 85/98-Cus, dated 13.11.98 on the above subject stands modified to the above extent.

5. The instructions may please be given wide publicity in the form of a Public Notice.

6. Kindly acknowledge receipt of this Circular. Difficulties, if any, faced in the implementation of the above changes, may be brought to the notice of the Board immediately.

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Sd/-
(C.P.Goyal)
Sr. Technical Officer (TU)